

1 Adam Hosmer-Henner, Esq., NSBN 12779
Chelsea Latino, Esq., NSBN 14227
2 Jane Susskind, Esq., NSBN 15099
McDONALD CARANO LLP
3 100 West Liberty Street, 10th Floor
Reno, NV 89501
4 Telephone: (775) 788-2000
ahosmerhenner@mcdonaldcarano.com
5 clatino@mcdonaldcarano.com
jsusskind@mcdonaldcarano.com

6 Nancy G. Ross (*admitted pro hac vice*)
7 Richard E. Nowak (*admitted pro hac vice*)
MAYER BROWN LLP
8 71 South Wacker Drive
Chicago, IL 60606
9 Telephone: (312) 782-0600
nross@mayerbrown.com
10 rnowak@mayerbrown.com

11 *Attorneys for Defendants Caesars Holdings, Inc., the Plan Investment Committee, and*
12 *the 401(k) Plan Committee*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

14 MAGGIE THOMSON and JUAN DUARTE,
15 as representatives of a class of similarly
situated persons, and on behalf of the Caesars
16 Entertainment Corporation Savings &
Retirement Plan,

17
18 Plaintiffs,

19 v.

20 RUSSELL INVESTMENTS TRUST
21 COMPANY, CAESARS HOLDINGS, INC.,
THE PLAN INVESTMENT COMMITTEE,
and THE 401(K) PLAN COMMITTEE.

22 Defendants.
23

Case No. 2:21-cv-00961-GMN-BNW

**MOTION TO WITHDRAW AS
COUNSEL**

24 Pursuant to Local Rule IA 11-6 and Rule 1.16 of the Nevada Rules of Professional
25 Conduct, undersigned counsel moves the Court for an order authorizing Richard E. Nowak of the
26 law firm of Mayer Brown LLP to withdraw as counsel for Defendants Caesars Holdings, Inc., the
27 Plan Investment Committee, and the 401(k) Plan Committee (collectively, "Caesars Defendants").
28 Caesars Defendants will continue to be represented by Nancy G. Ross of the law firm Mayer

Brown LLP and Adam Hosmer-Henner of the law firm McDonald Carano LLP. This Motion is made and based on the following points and authorities and the pleadings and papers on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

Local Rule IA 11-6(b) provides that “[i]f any attorney seeks to withdraw after appearing in a case, the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel.” Furthermore, LR 11-6(e) provides that “no withdrawal or substitution will be approved if it will result in delay of discovery, the trial, or any hearing in the case.” Similarly, Nevada Rule of Professional Conduct 1.16(b) provides that a lawyer may withdraw from representing a client if “[w]ithdrawal can be accomplished without material adverse effect on the interests of the client.”

The law firms of Mayer Brown LLP and McDonald Carano LLP will continue to represent Caesars Defendants in this action and can do so without any delay due to the withdrawal of Richard E. Nowak. Accordingly, the withdrawal of Richard E. Nowak can be accomplished without any material adverse effect on the interests of Caesars Defendants as they will continue to be represented by counsel who have represented them in this matter.

No delay will result given the pendency of Defendants’ motions to dismiss and the continued representation of Caesars Defendants. Accordingly, and for all of the above reasons, this Court is requested to permit Richard E. Nowak to withdraw as counsel for Caesars Defendants in this action.

Dated: December 10, 2021

Respectfully submitted,

MCDONALD CARANO LLP

MAYER BROWN LLP

/s/ Adam Hosmer-Henner

/s/ Richard E. Nowak

Adam Hosmer-Henner, Esq., NSBN 12779
Chelsea Latino, Esq., NSBN 14227
Jane Susskind, Esq., NSBN 15099
100 West Liberty Street, 10th Floor
Reno, NV 89501
Telephone: (775) 788-2000

Nancy G. Ross (*admitted pro hac vice*)
Richard E. Nowak (*admitted pro hac vice*)
71 South Wacker Drive
Chicago, IL 60606
Telephone: (312) 782-0600

*Attorneys for Defendants Caesars Holdings, Inc.,
the Plan Investment Committee, and
the 401(k) Plan Committee*

Order

IT IS SO ORDERED

DATED: 10:58 am, December 13, 2021



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE